

**ARTICLE IX.
LANDSCAPE REGULATIONS**

Sec. 30-230. Purpose and intent.

It is the intent of this ~~article~~Article to establish ~~and require enforcement of~~landscape standards that will enhance, improve, and maintain landscaping in the Village through the application of following ~~principals~~principles:

Comment [FHC166]: Add enforcement as a purpose. Resident comments

- (a) Promote xeriscape by encouraging the use of drought-tolerant landscape materials, grouping of plant material by water ~~requirement~~requirements and the use of irrigation systems that conserve ~~the use of~~ potable water supplies.
- (b) Use landscape materials to visually define the hierarchy of roadways, and to provide shade and visual edge along roadways.
- (c) Prevent the destruction of the existing tree canopy and promote its expansion.
- (d) Provide for the preservation of the existing natural forest communities, ~~specimen sized trees~~Specimen Trees, re-establish the native habitat along the beach, and encourage the use of native plant material.
- (e) Promote the use of trees and shrubs for energy conservation by encouraging cooling through the provision of shade and the channeling of breezes, thereby helping to offset global warming and ~~affects~~effects of added absorption of carbon dioxide.
- (f) Contribute to the processes of air movement, air purification, ~~oxygenation~~oxygen regeneration, ground water recharge, stormwater runoff retention, while aiding in the abatement of noise, glare, heat, air pollution and dust generated by impervious areas.
- (g) Improve the aesthetic appearance of the Village through the use of plant material, thereby protecting and increasing property values.
- (h) Reduce the negative impacts of ~~exotic pest~~invasive plant species as identified by the Florida Exotic Pest Plan Council and prohibit the use of noxious exotic plants which invade native plant communities.
- (i) Promote the concept of planting the appropriate ~~tree in the correct location to avoid problems~~plant materials for use based on their documented growth characteristics to avoid conflicts with and/or potential damage to infrastructure, such as clogged sewers, cracked sidewalks, and power service interruptions.

Sec. 30-231. Applicability.

The provisions of this chapter shall be considered minimum standards for all Village zoning districts, including Government Use (GU) properties, and shall apply to new construction on vacant Lots and for construction projects that have a value of 50 percent or greater of the assessed value of the Building(s) on a site.

Comment [FHC167]: Clarify: applicable everywhere

Sec. 30-232. Required landscape plans.

(a) ***Landscape plan required.*** All new construction of Main Permitted Uses and substantial rehabilitation work where the value of the improvements exceeds 50 percent of the assessed value of the Building, shall be required to submit a landscape plan. No building permit shall be issued until the ~~Building, Zoning, and Planning~~ Department has approved the landscape plan. A final certificate of occupancy shall not be issued until the landscaping shown on the landscape plan has been installed and approved by the ~~Building, Zoning, and Planning~~ Department. All landscape plans for new construction on vacant Lots shall be signed and sealed by a landscape architect licensed to practice in the State of Florida.

(b) ***Components of a landscape plan.*** A landscape plan must:

(1) Be drawn to scale, ~~including and include~~ dimensions ~~and~~, property boundaries, north arrow, and street names.

(2) Include a survey of the existing non-invasive trees and palms on the property, with ~~identification of non-exotic (see subsection 30-234(a)) trees. All trees with a trunk diameter of fourthree inches or greater shall be shown on the survey, measured at four feet above the base of trunk.~~

(3) Delineate existing and proposed Structures, Parking areas or other vehicular Use areas, Access aisles, sidewalks, driveways, the location of utilities and Easements; and similar features.

(4) Designate common and botanical name, location, size (in height, spread and trunk caliper at four feet above base of trunk), quantity, and grade of living plant material proposed to be installed or maintained on the site.

(5) Provide planting specifications to current American Association of Nurserymen landscape standards including but not limited to staking, fertilization, top soil, mulching, and applicable drainage and any subsurface treatments.

(6) Identify and describe the location and characteristics of all non-living landscape materials to be used, such as fences, walls or pavements.

(7) Show all landscape features, areas of vegetation required to be preserved by law, (including but not limited to trees, plants, shrubs, native habitats, wetlands, and mangroves), in ~~the~~ context with the location and outline of existing and proposed

~~Building~~Buildings, fences, and other structural improvements being contemplated on the site.

(8) Indicate method to protect trees and native plant communities during construction according to the Miami-Dade County Landscape Manual standards.

(9) Include a tabulation showing the statistical information necessary to evaluate compliance with the Article including net Lot area, quantity, size, and species of all plant material to be planted, preserved, or relocated; square footage of paved area; and such other information as may be required by the ~~Building, Zoning, and Planning~~ Director to make a determination that the landscape plan meets the requirements of this article.

Sec. 30-233. Landscape plan review criteria.

All landscape plans shall be reviewed in accordance with the following goals and objectives:

(1) Landscape design shall enhance architectural features, relate structural design to the site, visually screen dissimilar Uses and unsightly views, reduce noise impacts from roadways and incompatible Uses, strengthen vistas and reinforce neighborhood site design and architecture.

(2) Existing specimen trees and native vegetation ~~should~~shall be preserved in place to the maximum extent possible, ~~but in no event shall less than 30 percent of all landscaping be done with native vegetation or relocated within the site.~~

~~(3) The Landscape plan shall include native plant species to the maximum extent possible.~~(4) Trees and shrubs shall be used to reduce energy consumption by shading Buildings and paved surfaces.

~~(5)~~ Street trees shall be used to shade roadways, sidewalks and provide visual order. All Street tree planting shall conform to the Village's Street Tree Planting System.

Comment [FHC168]: Sidewalk shade – important policy

~~(6)~~ Trees and shrubs ~~should~~shall be placed on the site in locations that take into consideration overhead utility lines, proximity to native plant communities, septic tanks, and sewer lines.

Sec. 30-234. Required irrigation plans.

(a) *Applicability.* All Developments which are required to submit a landscape plan shall also provide an in-ground irrigation system with the exception of the following:

(1) Single Family homes where drought-tolerant, xeriscape landscaping has been utilized.

Comment [FHC169]: Single family not excepted outright, but new exception for xeriscaping

(2) Duplexes and Townhomes on Sites that are 7,000 square feet or less- where drought-tolerant, xeriscape landscaping has been utilized.

However, hose bibs shall be placed on the Building at 75-foot intervals.

(b) **Components of an irrigation plan.** Required irrigation plans shall:

(1) Be drawn at the same scale as the landscape plan.

(2) Delineate the areas that are to be landscaped.

(3) Delineate existing and proposed Structures, Parking areas or other vehicular Use areas, Access aisles, sidewalks, driveways, the location of utilities and Easements, and similar features.

(4) Include water source, design operating pressure and flow rate per zone, total volume required for typical depths of application, and application rate.

(5) Include locations of pipes, controllers, valves, sprinklers, backflow prevention devices and electrical supply.

Sec. 30-235. Tree removal permit.

(a) **Tree removal permit required.** No Person shall cut down, destroy, remove, relocate, destructively damage or cause to be cut down, destroyed, removed, relocated or destructively ~~damage~~damaged, any tree without first obtaining a permit from the ~~Village.~~ However nothing in this article shall prevent a Person from destroying the Miami-Dade County Department of Resource Management (DERM).

Comment [FHC170]: Add hedges too

(b) Required tree removal. The following trees must be removed with new Development and may be removed at any time without receiving a permit:

- (1) Schinus ~~terebinthifolius~~terebinthifolius (Brazilian Pepper/Florida Holly)
- (2) Metopium toxiferum (Poison-~~Wood~~Wood)
- (3) Casurina equisetifolia (Australian Pine)
- (4) Melaleuca ~~Quinquenervia~~Quinquenervia (Melaleuca)
- (5) Araucaria ~~Heterophylla~~Heterophylla (Excelsa, Northfolk Island Pine)
- (6) ~~Brassala-Actinophylla~~Brassalia Aactinophylla (Schefflera)

Sec. 30-236. Protection of trees during construction or land Development.

(a) During any construction or land Development, protective barriers of specifications approved by the ~~Building, Zoning, and Planning~~ Director shall be placed

and maintained around all trees to be retained on site to prevent their destruction or damage. The Developer shall use every precaution possible to avoid damaging such trees by preventing the ~~use of storage of materials or equipment, compaction of soil over roots~~ and/or the contamination of soil with such materials as paint, oil, solvents, asphalt, concrete, mortar, and the like, within the drip line.

(b) No attachments other than those of a protective or non-damaging nature, shall be attached to any tree except those trees approved to be removed ~~or relocated~~.

Sec. 30-237. Tree trimming standards.

All trees shall be trimmed in accordance with the National Arborist Association Standards except for the following tree species:

- (1) Australian Pine
- (2) Avocado
- (3) Brazilian Pepper
- (4) Citrus Species
- (5) Bischoefia
- (6) Mango
- (7) Melaleuca
- (8) Norfolk Island Pine
- (9) All palm species
- (10) Poison-~~Wood~~Wood

Sec. 30-238. Minimum standards.

The following standards shall be considered minimum requirements for all landscape plans:

- (1) *Tree size.*
 - a. Minimum height at time of planting: 14 feet.
 - b. Minimum tree canopy to be seven feet in diameter, centered on the trunk.
 - bc. Minimum diameter of trees trunk at five~~five~~four feet ~~height~~height above crown of root structures: 2.5 inches.
- (2) *Minimum number of trees.*

TABLE INSET:

Zoning District	Number of Required Trees
Single Family and Two-Family	three trees for Lots of 7,500 sq. ft. or less and one tree for each additional 2,500 <u>one tree per 1,875</u> sq. ft. or fraction thereof
Office	one tree for each 1,500 sq. ft. or fraction thereof
Commercial	one tree for each 1,800 sq. ft. or fraction thereof
Government Use	meet requirement of zoning district with greatest contiguous area
Multiple Family, PUD and Hotel Resort	one tree for each 1,400 sq. ft. or fraction thereof

Institutional and Private Club	one tree for each 1,200 sq. ft. or fraction thereof
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a. A maximum of 40 percent of the tree requirement may be satisfied with palm trees. If palm trees are provided, ~~they~~ every three palms shall be counted as ~~three palms~~ = one canopy tree.

Comment [FHC171]: Emphasize shade trees.

b. Minimum height of palms to be considered for shade tree substitutes shall be ~~ten~~twelve feet for standard upright forms (e.g. Sabals, Coconuts), and four feet for dwarf forms (e.g. Pygmy Date Palms).

~~e. Maximum percentage of palm trees: 30 percent.~~

~~d.c.~~ Prohibited trees and Street trees shall not be counted towards meeting this requirement.

(3) *Shrubs and hedges--Quantity, height and spacing at time of planting.*

TABLE INSET:

Shrub quantity	10 for each required tree
Shrub and hedge height	<u>Minimum 24 inches.</u>
Hedge spacing	30 in. on center and maintained to form a continuous, unbroken, and solid screen

(4) *Uncovered, surface Parking Lot buffer and interior planting.* The perimeter of each Parking Lot adjacent to any property line Lot shall be planted with a five-foot wide strip of hedge and shade trees at a spacing of one per 30 linear feet.

The net interior area of all Parking Lots (the area exclusive of the Setbacks and buffer planting area), shall contain ten square feet of landscaped area per Parking space and shade trees shall be planted within this area at a rate of one tree per 80 square feet of resultant landscaped area.

(5) *Plant quality and Native Species Requirement.* All material shall meet or exceed the minimum standards for Florida Number One as provided in the most current edition of "Grades and Standards for Nursery Plants, Part I and II," prepared by the State of Florida Department of Agriculture and Consumer Services. At least 40% of all required plant materials must be native species.

(6) *Supplemental Single Family & Duplex Zoning District Landscaping Regulations.*

These Regulations are in addition to those listed above. Single Family homes and Duplexes shall provide the following landscaping prior to the issuance of any type of occupancy or approval to occupy the Building. The landscaping shall be maintained and remain in place for the life of the Building. If the landscaping is replaced a permit is required and shall include materials that match the below specifications:

(a) In no instance shall the Front Yard have less than one shade tree and three palms, or two shade trees.

(b) In any Yard which faces a Street, shrubs shall be provided at the ratio of 20 per tree.

(c) When the Structure has a side Wall in excess of 35 feet in length, there shall be a dense hedge of minimum 30" height planted 24" on center along the property line adjacent to all portions of the Wall greater than 35 feet.

(d) On non-waterfront Residential lots, the area within five feet of a side Lot line that is also within 25 feet of the rear property line shall be planted with a dense, landscape screen at a height of at least four feet at time of planting, planted 36" on center, and

attaining at least a 10 foot height. Within that same area on waterfront Residential lots, a hedge of minimum 24 inch height and 24 inches on center must be planted and cannot exceed a height of four feet.

(e) On non-waterfront Residential lots, for those portions of the Structure with a rear Setback of less than 25 feet, the area within five feet of the rear property line shall be planted with a dense, landscape screen at a height of at least four feet at time of planting, planted 36" on center, and attaining at least a ten foot height.
(Ord. No. 2000-5, § 2, 5-9-00)

Sec. 30-239. Hatracking prohibited.

Hatracking or topping shall not be permitted; however, crown reduction in excess of one-third shall be permitted under the following conditions:

- (1) If a tree interferes with utility lines or utility Structures.
- (2) If a tree has storm damage and in the opinion of the ~~Building, Zoning, and Planning~~ Director, after consultation with _____, should be hatracked or topped in order to preserve the tree.
- (3) All tree pruning shall conform to current standards of the National Arborist Association.
(Ord. No. 2000-5, § 2, 5-9-00)

Comment [FHC172]: Enforcement issue? Possibly training or permitting? This happens too often

Sec. 30-240. Landscape manual.

The Village shall utilize the Miami-Dade County Landscape Manual until such time as one is developed by the ~~Building, Zoning, and Planning~~ Department and adopted by Council resolution. The purpose of the manual is to provide illustrative interpretations of the Regulations listed in this article, best landscape practices, and related guidelines to insure that landscaping is installed and maintained in a manner that is consistent with the objectives ~~[of]~~ these Regulations.

Sec. 30-241. Certificate of occupancy and certificate of completion.

No certificate of occupancy or certificate of completion shall be issued until such time as all of the required landscaping is installed and approved by the ~~Building, Zoning, and Planning~~ Department. However, nothing herein shall prevent the issuance of a temporary certificate of occupancy so long as at least the sod portion of the landscaping has been installed.

Comment [FHC173]: No changes to Article X